IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE N/S of Charles Lane, 380' NW of

the c/l of Charlesway (21 Charles Lane) 9th Election District

* DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY

4th Councilmanic District Richard L. Franyo, et ux Petitioners

* Case No. 91-80-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 12.5 feet in lieu of the required 40 feet from an unimproved right-of-way for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this Managery of October, 1990 that the Petition for Residential Variance to permit a rear yard setback of 12.5 feet in lieu of the required 40 feet from an unimproved right-of-way for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Prior to the issuance of any permits, Petitioners shall record a deed among the Land Records of Baltimore County which will include a new metes and bounds description for Lots 20 and 21 to form a single lot.

3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

- 2-

AMN:bjs

A MNistarionia

Deputy Zoning Commissioner for Baltimore County

91-80-A

lot is heavily wooded, unimproved and vacant as shown on the plat marked Exhibit A attached hereto and as further indicated on the photographs attached hereto and made a part hereof as Exhibit B.

erected in full compliance with all Baltimore County Building Code guidelines and will be constructed in a tasteful manner consistent

(e) That the new addition will have minimal if any impact on other neighbors since the addition is located to the rear of Petitioners' property, facing wooded, and vacant land and a wooded and unimproved paper road.

(b) That the property to the rear of your Petitioners'

(c) That your Petitioners also own the lot immediately to the rear of No. 21 Charles Lane, as well as other unimproved, vacant lots to the east thereof, as indicated on the plat marked Exhibit A.

(d) That the addition planned by your Petitioners will be with the high quality of the surrounding residential community.

AFDT0379.JPR

J. Paul Rieger, Jr., Esquire Venable, Baetjer & Howard 210 Allegheny Avenue, Suite 700 Towson, Maryland 21204

October 10, 1990

RE: PETITION FOR RESIDENTIAL VARIANCE N/S Charles Lane, 380' NW of the c/l of Charlesway (21 Charles Lane) 9th Election District - 4th Councilmanic District Richard L. Franyo, et ux - Petitioners Case No. 91-80-A

Dear Mr. Rieger:

Baltimore County Zoning Commissioner

(301) 387-3353

J. Robert Haines

Zoning Commissioner

Office of Planning & Zoning

Towson, Maryland 21204

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ

for Baltimore County

Deputy Zoning Commissioner

Dennis F. Rusmussen

cc: People's Counsel File

AMN:bjs

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with

That the Affiant(s) does/do	presently or upon	settlement w	ill reside	at No.	21	Charles	_Lane
Towson, Maryland							
	(Pagrhha)						

That based upon personal knowledge, the following are the facts upon which I/we base the request for for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) (see attached sheet)

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

AFFIANT (Handwritten Signature) Richard L. Franyo FFIANT (Printed Name)

Georgia A. Franyo AFFIANT (Printed Name)

I HEREBY CERTIFY, this ______day of _August Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Richard L. Franyo and Georgia A. Franyo

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinahove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described

PATE 11-25-51

the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1802.3.C.1 and Zoning Policy S-5, to allow a setback of 12.5 feet from the

edge of an unimproved right of way, in lieu of the required 40 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (see attached sheet)

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

> I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s).

pegar owner(#)!	
Richard L. Franyo	
(Type or Frint Name)	
St. tum	
Signature	
Georgia A. Franyo	
(Type or Print Name)	
Signature of France	n()
Signature V	
-	•
	•
21 Charles Lane	(001)
ZI CHALLES LAND	(201) 200 0000

21 Charles Lane (301) 296-9260 Towson, Maryland 21204 City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted. John B. Howard, Esquire Name Venable, Baetjer & Howard 210 Allegheny Avenue (301) 823-411

Address Towson, Maryland 21204 Phone DRDERED by the Zoning Commissioner of Baltimore County, this 22ND day of AOC, 19 9D, that the subject matter of this petition be posted on the property on or before the 12^{r*} day of 5EPT, 19 90

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advantised, as required by the Zoning Lew of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19___, at ____ o'clock,

Contract Purchaser:

City/State/Zip Code

Attorney for Petitioners

Type of Print Hame)

(301)823-4111

Attorney's telephone number

210 Allegheny Avenue

John B. Howard, Esquire

Signature Venable, Baetjer & Howard

Address Towson, Maryland 21204

ZONING CONTRISSIONER OF BALTIMURE COUNTY

91-80-A

DESCRIPTION TO ACCOMPANY PETITION FOR RESIDENTIAL VARIANCE

Beginning at a point on the north side of Charles Lane, twenty feet wide, at the distance of three hundred eighty feet more or less north and west of the center line of the nearest improved intersecting street known as Charlesway which is forty feet wide. Being lots numbers 20 and 21 in the subdivision of "Charleswood" as recorded among the Land Records of Baltimore County in Plat Book No. 14, folio 14, containing approximately .43 acres. Being known as No. 21 Charles Lane and being located in the Ninth Election District

FACTS IN SUPPORT OF RESIDENTIAL ZONING VARIANCE 1. Your Petitioners plan to construct a new addition to their

residence that would lie within twelve and one-half feet of their rear lot line. The proposed location of the new addition is shown on the plat marked Exhibit A, attached hereto and made a part hereof.

2. The present forty foot setback requirement prohibits the building of an addition of a viable and usable size, thereby severely restricting the reasonable use and enjoyment of Petitioner's property and creating a practical difficulty for your Petitioners.

(a) That strict compliance with the setback requirements would unreasonably prevent the use of the property for permitted residential purposes.

(b) That granting the variance would be substantially just for the Petitioners and other property owners in the area.

(c) That granting the variance will comport with the spirit of the Zoning Regulations, with public safety and welfare

3. Your Petitioners present the following facts which mitigate the need for strict compliance with the setback requirement:

(a) That the road shown as Charlesway Road lying to the rear of Petitioners' property, is an unimproved paper road which has never, to your Petitioners' knowledge, been traveled or used.

of Baltimore County.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District 9 This	Date of Posting And London L. S.
Petitioner: Accharat & Lasseys,	LC/
ocation of property: 11/5 CHARCE Kane 23	c Ho sys 4 Charlesway
ocation of Signa: 22 - 12 mit of 21 Cha	· · · · · · · · · · · · · · · · · · ·
lemarks:	

4.	Baltimore County
A TOP	Zoning Commissioner
3 1. 2	County Office Building
8. W	111 West Chesapeake Avenue
· COURS	Towson, Maryland 21204

Cashier Validation:

L H9100076 ' PUBLIC HEARING FEES 010 -ZONING VARIANCE (IRL)

OSC -POSTING SIGNS / ADVERTISING 1 X TOTAL: \$60.00 LAST NAME OF OWNER: FRANYO

> 04A04#0017MICHRC \$50.00 BA C002:51PM08-22-90 Please make checks payable to: Baltimore County BUSINESS DAY

Account: R-001-6150

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE September 11, 1990

J. ROBERT HAINES, ZONING COMMISSONER, DEPARTMENT CONTING CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF

PERMITS & LICENSES C 5 B SUBJECT:

ZONING ITEM #: 76 PROPERTY OWNER: Richard L. Franyo, et ux

LOCATION: N/S Charles Lane, 380' NW centerline of Charlesway (#21 Chalres Lane) ELECTION DISTRICT: 9th COUNCILMANIC DISTRICT: 4th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () NUMBER PARKING SPACES

() BUILDING ACCESS

- () RAMPS (degree slope) () CURB CUTS () SIGNAGE
- (X) PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE. (SEE NOTES BELEW)
- (X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- OTHER Property lines running thru the structures are violations of the building code, since fire walls or party walls are required on interior lot lines. They should be delected forming a single lot. PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines

Richard L. Franyo 21 Charles Lane Towson, Maryland 21204 John B. Howard, Esq. 210 Allegheny Avenue Towson, Maryland 21204



Re: CASE NUMBER: 91-80-A ITEM NUMBER: 76 LOCATION: N/S Charles Lane, 380' NW c/l of Charlesway

21 Charles Lane Dear Petitioner(s):

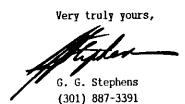
Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

August 29, 1990

1) Your property will be posted on or before September 12, 1990. The last date (closing date) on which a neighbor may file a formal request for hearing is September 27, 1990. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

> 3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.



Baltimore County Fire Department 700 East Joppa Road, Suite 901 Towson, Maryland 21204-5500 (301) 887-4500

Paul H. Reincke

SEPTEMBER 6, 1990



J. Robert Haines Zoning Cosmissioner Office of Flanning and Zoming Ealtimore County Office Euilöirg Towson, MD 21204

Location:

RE: Property Owner: FICHARD L. FRANYO

> #21 CFARLES LANE *76 Zoning Agenda: SEPTEMEER 11, 1990 Item No.:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the Matichal Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAFTER 22

REVIEWER: Cat loseff telly 9-6-90 Approved (aptaint). F. trady & Kh Special Inspection Division

JK/KEK

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

Zoning Commissioner

September 18, 1990

Dennis F. Rasmussen

RE: Item No. 76, Case No. 91-80-A Petitioner: Richard L. Franvo, et ux Petition for Residential Variance

Dear Mr. Howard:

John B. Howard, Esquire

210 Allegheny Avenue

Towson, MD 21204

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received. I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

The Developers Engineering Division has reviewed

For 90-560-spha - Pizza Palace, 39 York Road - the

Developers Engineering Division

the subject zoning items and we have no comments for

previous County Review Group comments still apply.

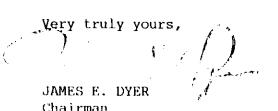
Zoning Advisory Committee Meeting

FROM: Robert W. Bowling, P.E.

for September 11, 1990

Items 51, 67, 72, 74, 75, 76, 77, 79, 81.

TO: Zoning Advisory Committee DATE: September 5, 1990



Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Richard L. Franvo 21 Charles Lane

Towson, MD 21204

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines



Your petition has been received and accepted for filing this 22th day of August, 1990.

> J. ROBERT HAINES ZONING COMMISSIONER

Received By:

Zoning Plans Advisory Committee

Petitioner: Richard L. Franvo, et ux Petitioner's Attorney: John B. Howard

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner

Pat Keller, Deputy Director

Office of Planning and Zoning

SUBJECT: Richard L. Franyo, Item No. 76

The Petitioner requests a Variance to allow a setback of 12.5 ft. from the edge of an unimproved right-of-way in lieu of the required 40 ft.

In reference to the Petitioner's request, staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm ITEM76/ZAC1

DATE: October 12, 1990

VENABLE, BAETJER AND HOWARD
ATTORNEYS AT LAW

5,10

494-9177

3 - E-4 <u>44</u>

BALTIMORE, MD
WASHINGTON, D. C.
McLEAN, VA
ROCKVILLE, MD
BEL AIR, MD

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

210 ALLEGHENY AVENUE

P.O. BOX 5517

TOWSON, MARYLAND 21285-5517

(301) 823-4111

FAX (301) 821-0147

RICHARD M. VENABLE (1839-1910)
EDWIN G. BAETJER (1868-1945)
CHARLES MCH. HOWARD (1870-1942)

J. Paul Rieger, Jr.

HOWARD (1870-1942)

1 Rieger, Jr.

October 17, 1990

Ms. Ann M. Nastarowicz Deputy Zoning Commissioner for Baltimore County Office of Planning and Zoning Towson, Maryland 21204

RE: Petition for Residential Variance Richard L. Franyo, et ux - Petitioners Case No.: 91-80-A

Dear Ms. Nastarowicz:

number.

Enclosed, please find a copy of the recorded Deed which includes a new metes and bounds description for Lots 20 and 21, owned by the Petitioners, Richard L. Franyo and Georgia A. Franyo, his wife. The metes and bounds description forms a single lot of record, as required under Restriction No. 2 of the Findings Of Fact And Conclusions Of Law, issued on October 10,

Thank you for your consideration in this matter. If you should need any additional information or have any further requirements, please do not hesitate to call me at the above

Very truly yours,

J. Paul Rieger, Jr.

JPR:cmt
Enclosure
CC: Mr. and Mrs. Richard L. Franyo
Robert A. Hoffman, Esquire
jpr.oct.ltr.25

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1800 MERCANTILE BANK & TRUST BUILDING

BALTIMORE, MARYLAND 21201-2978

(301) 244-7400

TELEX 898032

RICHARD M. VENABLE (1839-1910)

EDWIN G. BAETJER (1868-1945)

CHARLES MCH. HOWARD (1870-1942)

J. Paul Rieger, Jr.

WASHINGTON, D. C.

MCLEAN, VA

ROCKVILLE, MD

TOWSON, MD

BEL AIR. MD

WRITER'S DIRECT NUMBER IS 494-9177

001 /;

October 1, 1990

Mr. J. Robert Haines, Baltimore County Zoning Commissioner Office Of Planning And Zoning Towson, Maryland 21204

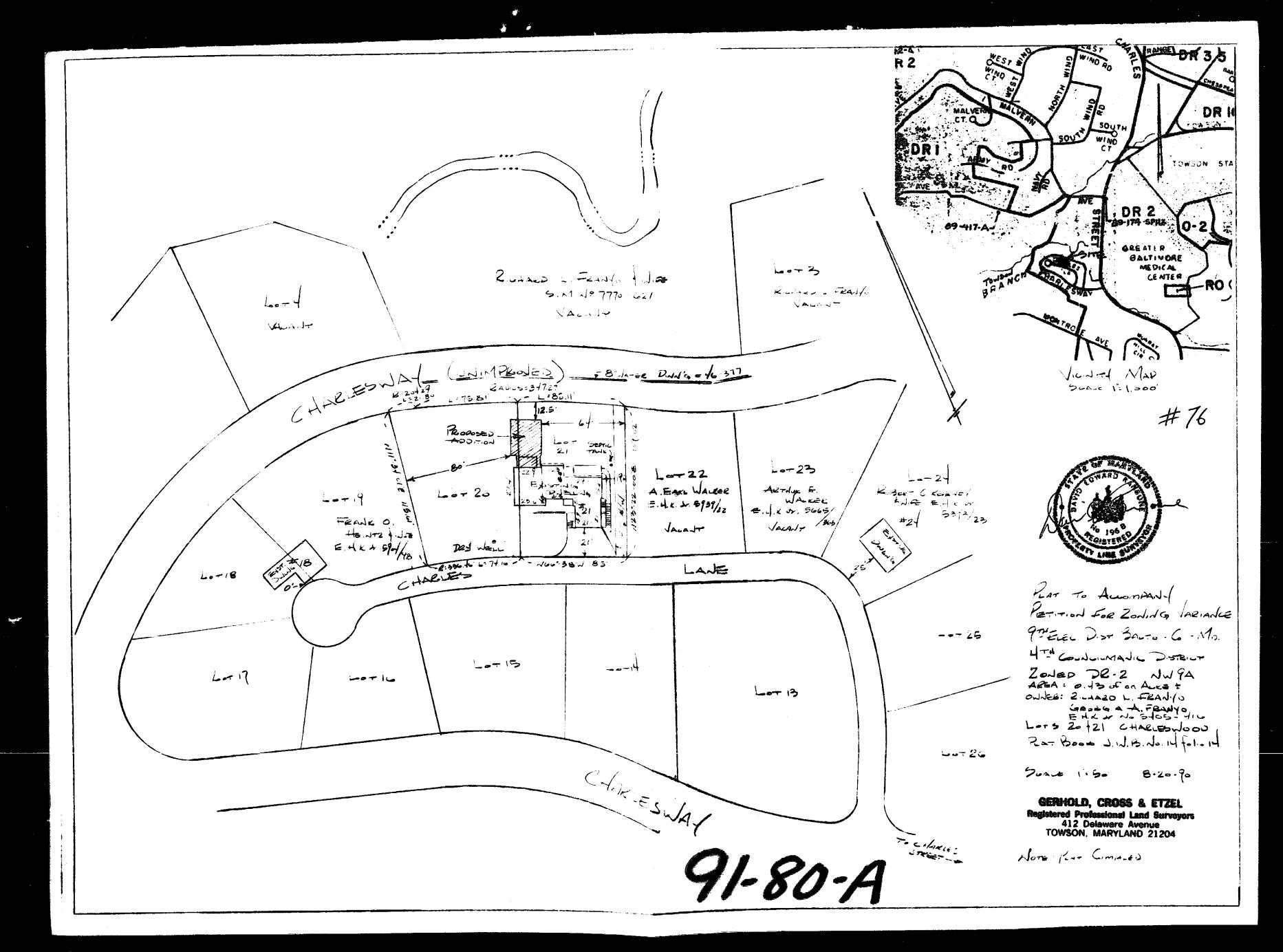
RE: Item No.: 76
Case No.: 91-80-A
Richard L. Franyo, et ux
Petition For Residential Variance

Dear Commissioner Haines:

I have contacted Mr. Charles E. Burnham, Plans Review Chief, regarding the comment filed by his office on the above referenced matter. According to Mr. Burnham, the property of Mr. and Mrs. Franyo is in technical violation of the Baltimore County Building Code because the existing division line between their property (Lots Nos. 20 and 21 on the subdivision plat) runs through the existing dwelling and proposed addition.

At Mr. Burnham's suggestion, we will rectify this problem by either: (1) Recording a Deed among the Land Records of Baltimore County, which will include a perimeter description of Lots Nos. 20 and 21 thus forming a single Lot and thereby removing the previous property line, or, (2) Petitioner may seek to adjust the property line, so that the new line will not violate the Building

RECEWED OCT 4 980



Mr. J. Robert Haines Baltimore County Zoning Commissioner October 1, 1990 Page Two

Code. In either event, the problem will be rectified prior to Petitioner's application for a building permit.

The Plat to accompany the petition for zoning variance will be changed accordingly. Copies of the revised plat and any of the relevant documentation will be forwarded to you upon their completion.

Very truly yours,

J. Paul Rieger, Jr.

Liber 8621 Page 385

SUZANNE MENSH CLERK OF CIRCUIT CT. FOR BALTINORE COUNTY

RECUD AND RECORDED

1990RECEIPT #00648 C001 R02 T11:46

JPR:cmt
CC: Mr. and Mrs. Richard L. Franyo
Ms. Julie Winiarski
John B. Howard, Esquire
Robert A. Hoffman, Esquire
jpr.ltrs.38

PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION

DEED

THIS DEED, made this 104 day of October, in the year nineteen hundred and ninety, by and between RICHARD L. FRANYO and GEORGIA A. FRANYO, his wife, of Baltimore County, State of Maryland, Grantors and RICHARD L. FRANYO and GEORGIA A. FRANYO, his wife, of Baltimore County, State of Maryland, Grantees.

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration, there being no actual consideration paid or to be paid in connection with this conveyance, the said RICHARD L. FRANYO and GEORGIA A. FRANYO, his wife, do grant and convey to RICHARD L. FRANYO and GEORGIA A. FRANYO, his wife, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives and assigns, in fee simple, all that parcel of ground, situate, lying and being in the Ninth Election District of Baltimore County, State of Maryland and described in Exhibit "A" attached hereto and expressly made a part hereof.

BEING all and the same property which by Deed dated October 29, 1973 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5405 folio 416 was granted and conveyed by J. Ross McComas to Richard L. Franyo, (therein referred to as Richard Louis Franyo), and Georgia A. Franyo, his wife, in fee simple.

BEING also all and the same property which by Deed dated October 25, 1978 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5951 Folio 643 was granted and conveyed by J. Ross McComas, to Richard L. Franyo and Georgia A. Franyo, his wife, in fee simple.

SUBJECT to all covenants, conditions and encumbrances of record.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed, unto

